



W.A.(MD)No.1954 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A.(MD)No.1954 of 2025
and
C.M.P.(MD)No.11196 of 2025**

R.Shoban Kumar

... Appellant

Vs.

1.K.P.Maharajan

2.The Secretary to Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai.

3.The Director,
Directorate of Medical Education and Research,
No.162, Evr Periyar Salai, Kilpauk,
Chennai - 600 010.

4.The Dean,
Madurai Medical College,
Madurai - 625 020.

5.The Dean,
Theni Medical College,
Theni.



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6. The Junior Administrative Officer,
Madurai Medical College,
Madurai - 625 020.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.16696 of 2025 dated 20.06.2025 on the file of this Court.

For Appellant : Mr.K.R.Laxman

For Respondents : Mr.C.Venkateshkumar,
Spl. Government Pleader R2 to R6.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

The appellant herein was shown as the sixth respondent in W.P.(MD)No.16696 of 2025. The writ petition was filed by the appellant's father-in-law. The appellant's wife had passed away. She was a government servant. In the writ petition, the writ petitioner had levelled certain serious allegations against the appellant. The grievance of the appellant is that the writ petition was disposed of without notice to him and without giving any opportunity to controvert and rebut the allegations made in the affidavit filed in support of the writ petition.



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2.We are of the view that the learned Single Judge was not swayed by the allegations at all. This is event from the directions set out in Paragraph No.5 of the order dated 20.06.2025. Paragraph No.5 reads as follows:-

“5. In the light of the above submission, there shall be a direction to the third respondent to consider the case of the petitioner, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the third respondent to consider the same on its own merits.”

3.The learned Single Judge had not expressed any opinion on the merits of the matter. The issue was left to the consideration of the Dean, Madurai Medical College to take a call.

4.We further clarify that before the disbursing authority takes a decision, notice will be issued to the appellant herein to putforth his



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stand. The objections of the appellant herein will be considered by the authority concerned before taking a final decision.

5.This writ appeal is disposed of accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

(G.R.S. J.) & (K.R.S. J.)
21.07.2025

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

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Health and Family Welfare Department,
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Chennai.
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